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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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UNITED STATES

v.

DEEB HOMSI

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U.S. DISTRICT COURT  
DISTRICT OF MASS.  
CR. NO. 05-10003-NMG

DEFENDANT'S MOTION TO MODIFY  
CONDITIONS OF RELEASE

Defendant Deeb Homs ("Mr. Homs") was released on conditions of house arrest and electronic monitoring. Because of Mr. Homs's severe health problems and the Government's insistence on otherwise continuing the detention hearing until the following week, the defendant agreed to such conditions at his initial appearance.

Mr. Homs is a 44-year-old man who lives with his mother in Arlington, Massachusetts. He is severely disabled and has been unable to work since 1999. Among other problems, he suffers from severe diabetes and Pickwickian Syndrome (a failure of normal lung functioning), and must be on four liters of oxygen 24 hours a day. He weighs over 370 pounds and has numerous prescribed medications and frequent medical appointments for treatment.

There is utterly no risk of flight, given extensive ties to the community and the fact that his health problems make him rather immobile. He must lug around a large canister of oxygen every minute of the day, with associated medical hardware, just to stay alive. In light of his physical infirmities, the prospect of Mr. Homs being a danger to the community is not only highly unlikely but downright comical.

The cost of maintaining Mr. Homsy on electronic monitoring and intensive supervision is a senseless one, and these scarce resources would be better employed with other defendants.

The defendant therefore respectfully moves this honorable Court to modify his conditions of release to eliminate the requirements of house arrest and electronic monitoring.

Respectfully submitted,



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Attorney for Deeb Homsy

DATED: February 2, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this motion has been served by prepaid first-class mail upon Michael L. Tabak, Esq., AUSA, 9<sup>th</sup> Floor, One Courthouse Way, Boston, MA 02210, (617) 748-3203, this 2<sup>nd</sup> Day of February, 2005. 